

EXHIBIT D

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROCKWELL AUTOMATION
TECHNOLOGIES, INC.,

Plaintiff,

v.

SECURE CROSSING RESEARCH
AND DEVELOPMENT INC.,

Defendant.

Case No. 2:12-cv-10274-GCS-MKM

Honorable George Caram Steeh

SECURE CROSSING'S RESPONSE TO
PLAINTIFF'S FIRST SET OF INTERROGATORIES

Secure Crossing, through undersigned counsel, responds to Plaintiff's First Set of Interrogatories as follows:

INTERROGATORIES

Interrogatory No. 1:

List all products by name, model number, version, and release date that Defendant has imported into the United States or that Defendant has made, used, offered for sale, or sold in the United States that contain structures, functionality, or modes of operation (1) for each of the Accused Instrumentalities or (2) that are the same as or similar to the Accused Instrumentalities.

Response:

See attached Exhibit A.

Interrogatory No. 2:

For each of the products identified in response to Interrogatory No. 1, identify each person who was responsible for the design and development of the product.

Response:

Randall Reeves and Christopher Beuhler

Interrogatory No. 3:

For each of the products identified in response to Interrogatory No. 1, identify the three most knowledgeable people with respect to the structure, function, and operation of those products.

Response:

See Response to Interrogatory No. 2.

Interrogatory No. 4:

Describe in detail the factual circumstances of Defendant's first awareness of the Patent-In-Suit, including the date(s) and the person(s) who first became aware of each Patent-In-Suit.

Response:

Approximately November 9, 2011, Randy Reeves received an email from Scott Spiroff regarding the Patent-In-Suit. The email has been produced in response to the Request for Production.

Interrogatory No. 5:

Describe the level of ordinary skill in the art that Defendant contends is applicable for the purposes of claim construction or for any other purpose in this action, including but not limited to analyses under 35 U.S.C. § 103 and/or 35 U.S.C. § 112.

Response:

An extremely high level of skill and expertise in the area of C-Code, together with definitive knowledge of construction of security appliances and data flow at a colonel level.

Interrogatory No. 6:

If Defendant contends that any device of the Accused Instrumentalities does not contain every limitation or element of any of the asserted claims of the Patent-in-Suit, then state in detail each and every basis for Defendant's contention, including but not limited to all of the legal and factual bases for Defendant's contention, an identification of each claim not infringed, an identification of each element in each claim that purportedly is not present in the Accused Instrumentality, and all facts and circumstances supporting Defendant's contention, and identify all persons having knowledge thereof and all documents relating thereto.

Response:

See Request for Reexamination, already in Plaintiff's possession. See Exhibit B.

Interrogatory No. 7:

Identify Defendant's customers in the United States that purchase any of the Accused Instrumentalities.

Response:

See Randy Reeves deposition transcript. See Exhibit C.

Interrogatory No. 8:

Provide the volume of sales, the averages sales price per unit, the sales revenue, cost of goods sold, and gross profit margin for the sales of each product sold to each customer identified in Interrogatory No. 9; also include overall sales of the Accused Instrumentalities on a monthly, quarterly, and/or annual basis (units sold, the average sales price (billed), the gross revenue received, the cost of goods sold, the gross profit margin).

Response:


See Exhibit D.

Interrogatory No. 9:


Identify each individual, other than outside counsel, who provided information for use in preparing Defendant's responses to these interrogatories or who participated in preparing Defendant's responses to these interrogatories.

Response:

Randall Reeves


Randall Reeves *July 24, 2012*

Dated: July 24, 2012


Arnold S. Weintraub
THE WEINTRAUB GROUP, P.L.C.
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Farmington Hills, MI 48334
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F: 248-865-9430
aweintraub@weintraubgroup.com

CERTIFICATE OF SERVICE

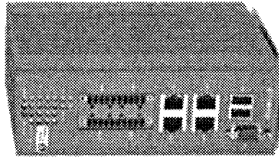
I hereby certify that on July 24, 2012, I e-mailed to bswedlow@honigman.com and mailed via U.S. Mail, postage pre-paid, the foregoing *Secure Crossing's Response to Plaintiff's First Set of Interrogatories* to Deborah J. Swedlow, Honigman Miller Schwartz and Cohn LLP, 130 S. First Street, 4th Floor, Ann Arbor, Michigan.

A handwritten signature in cursive script, reading "Denise Sinnhuber".

Denise Sinnhuber
THE WEINTRAUB GROUP
28580 Orchard Lake Road, Suite 140
Farmington Hills, MI 48334
T: 248-865-9430
F: 248-865-9430
das@weintraubgroup.com

SECURE CROSSING R&D PRODUCTS

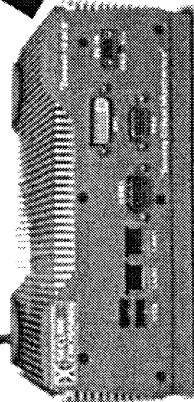
Features include: Audit Tools, SSL/VPN, IPSEC, DPI Field Firewall, NAT, Protocol Filtering for Industrial Protocols that include: CIP, EtherNet/IP, OPC, ICCP, MODBUS, DNP3, DIN Rail Mounted.



Zenwall 5

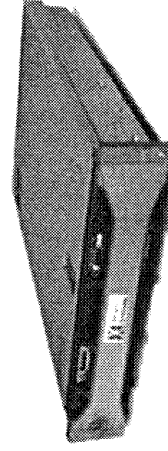
Rockwell currently purchases the Zenwall 5 and the Zenwall 10 from Secure Crossing to integrate into their systems to sell to their customers

Zenwall 10

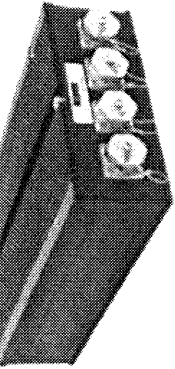


Features include: A/B/G Wireless, Ethernet, Serial, IPSEC, DPI Field Firewall, NAT, Router or Bridging Modes. Protocol filtering for Industrial Protocols that include: CIP, EtherNet/IP, OPC, ICCP, MODBUS, DNP3, BACnet and GOOSE.

Features include: DPI Field Firewall, NAT, Router or Bridging Modes. Protocol filtering for Industrial Protocols that include: CIP/ EtherNet/IP, OPC, ICCP, MODBUS, DNP3, Interchangeable Modules for Fiber, 10GB Copper and Ethernet.



Zenwall 2500



Zenwall 3500

Features include: SSL VPN, IPSEC, DPI Field Firewall, NAT, Router or Bridging Modes. Protocol filtering for Industrial Protocols that include: CIP, EtherNet/IP, OPC, ICCP, MODBUS, DNP3, Certified for IP-67 Waterproof/Weatherproof.

EXHIBIT A

Rockwell Automation Patent US 7,990,967 B2 Packet Flow Chart, Device is NOT Inline and Handles Packets in a Completely Different Method than Secure Crossing

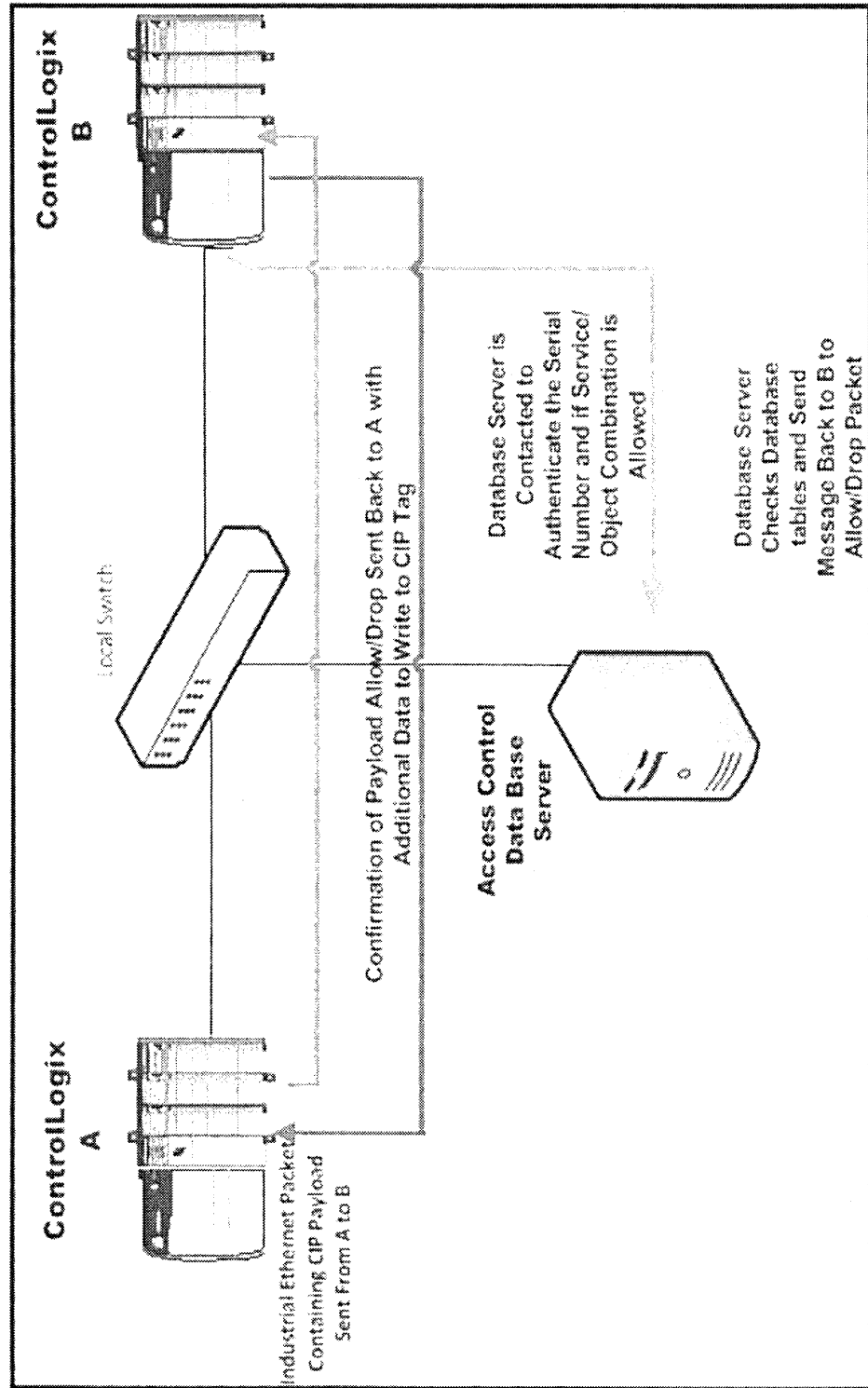
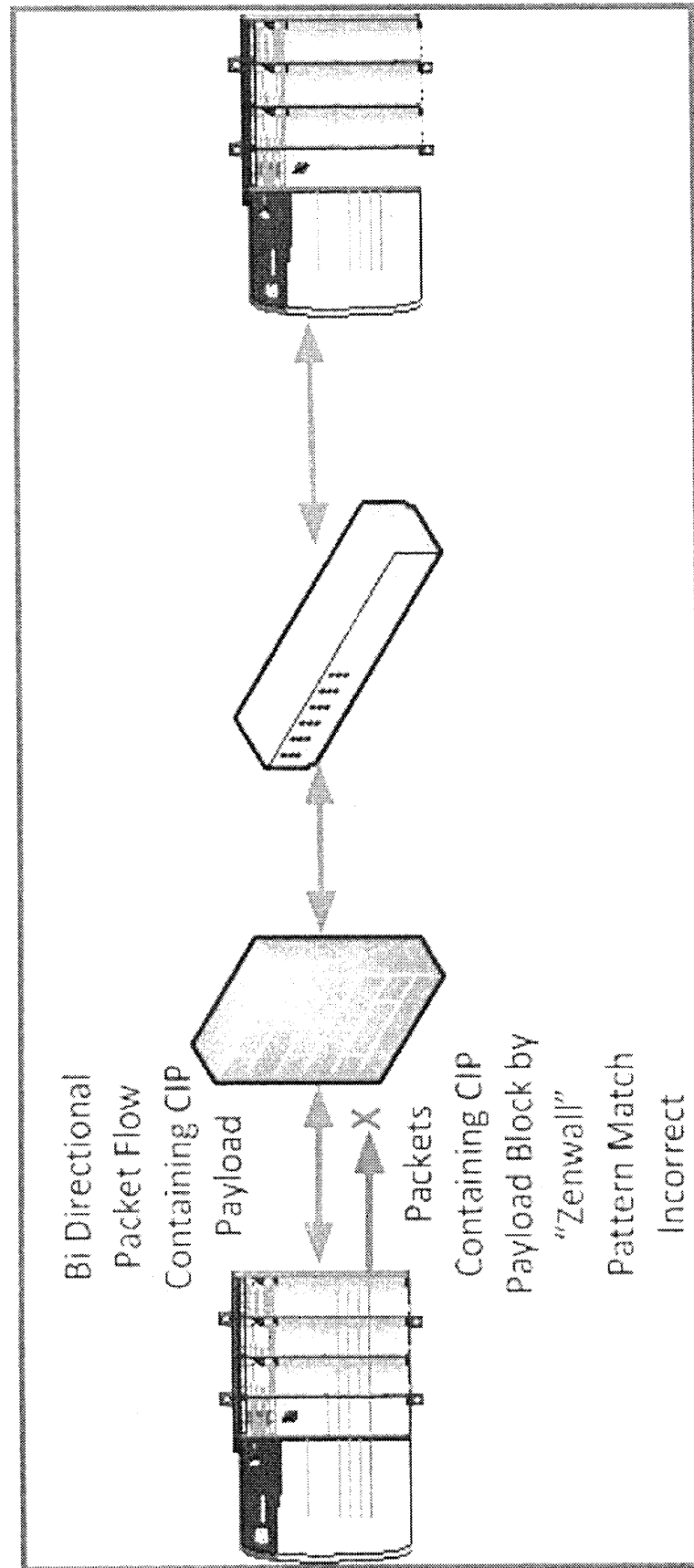
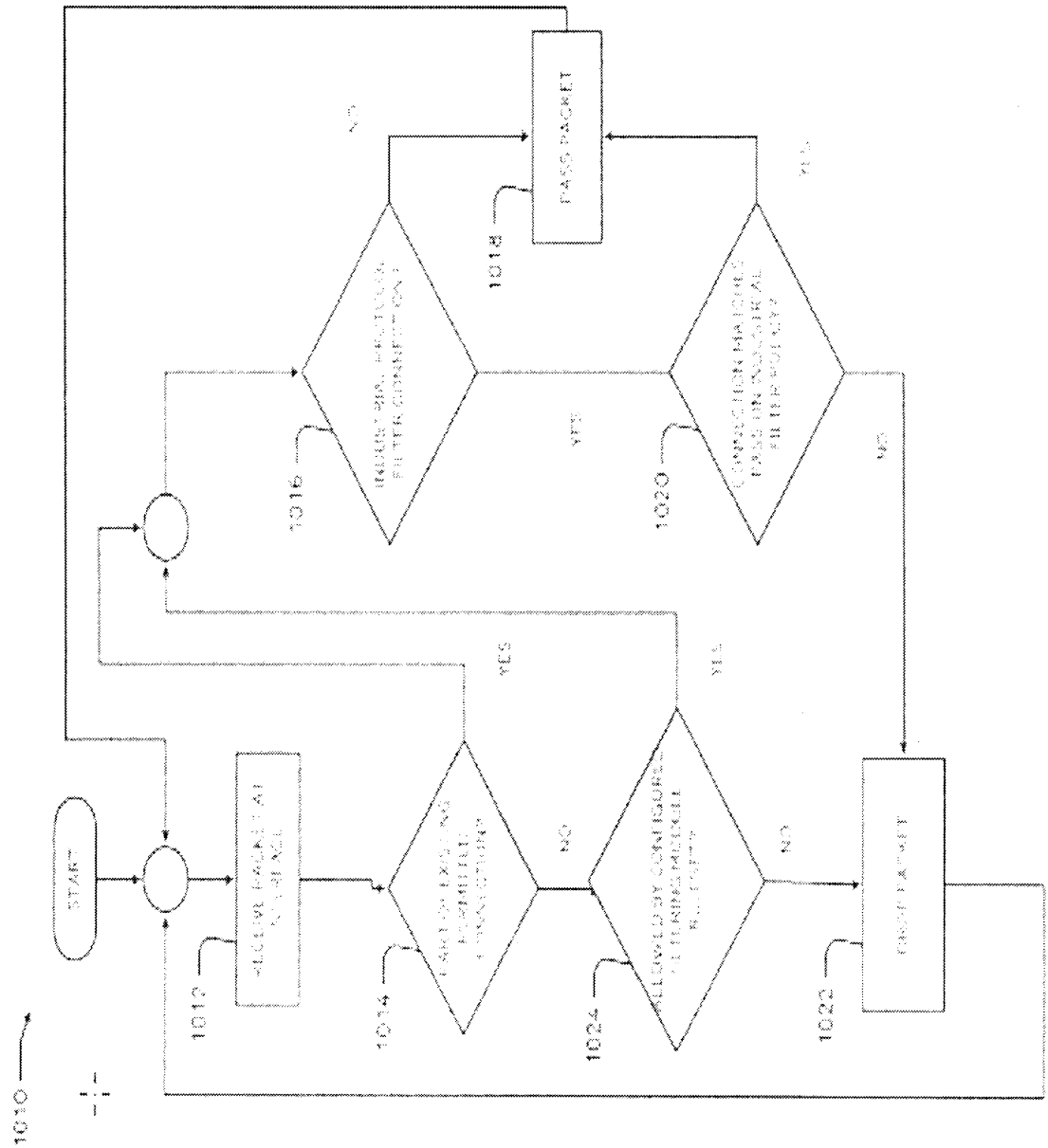


EXHIBIT B

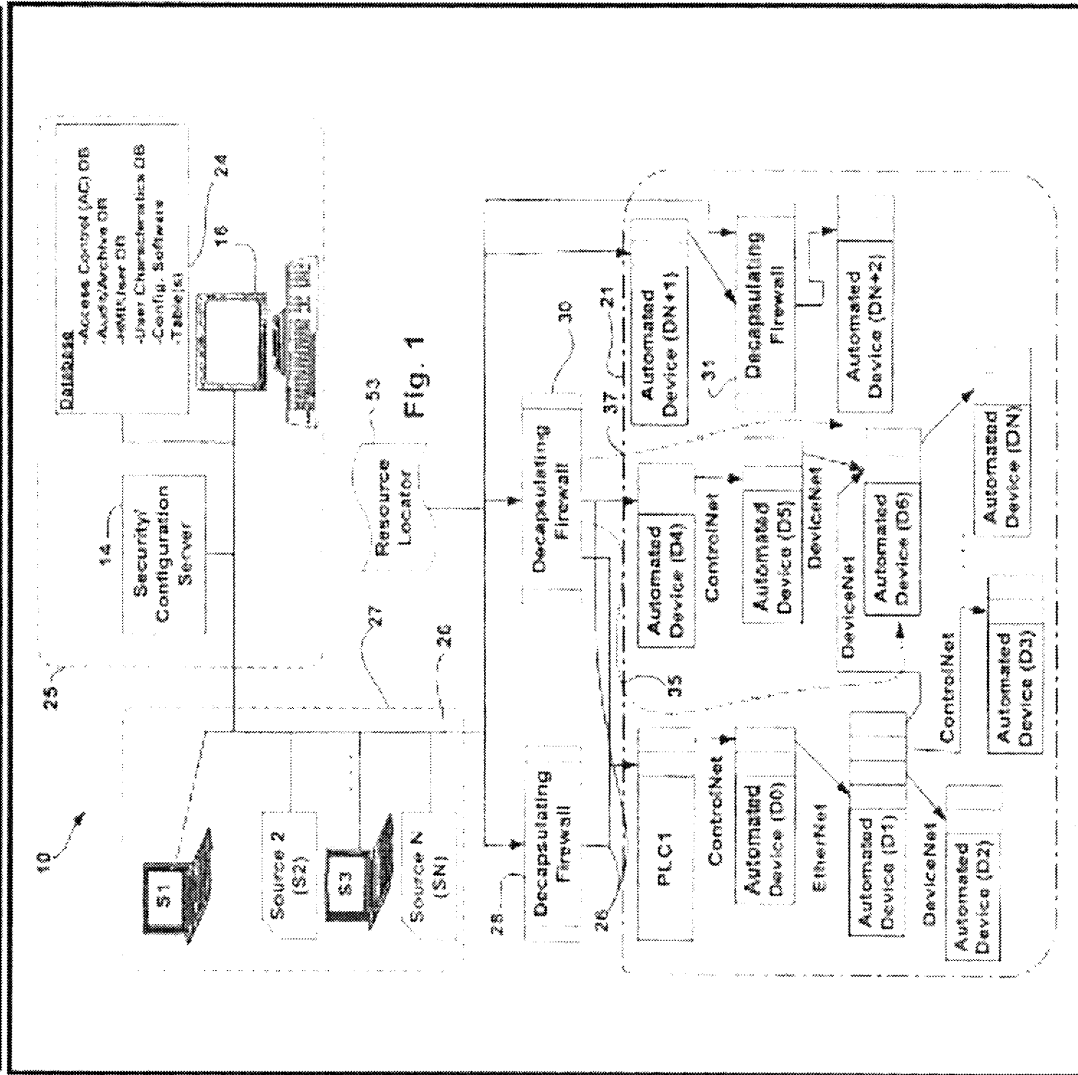
Secure Crossing R & D Inline Industrial Protocol Filtering Engine and Analyzer Packet Flow Chart Shows Device Inline



Secure Crossing's Data Flow

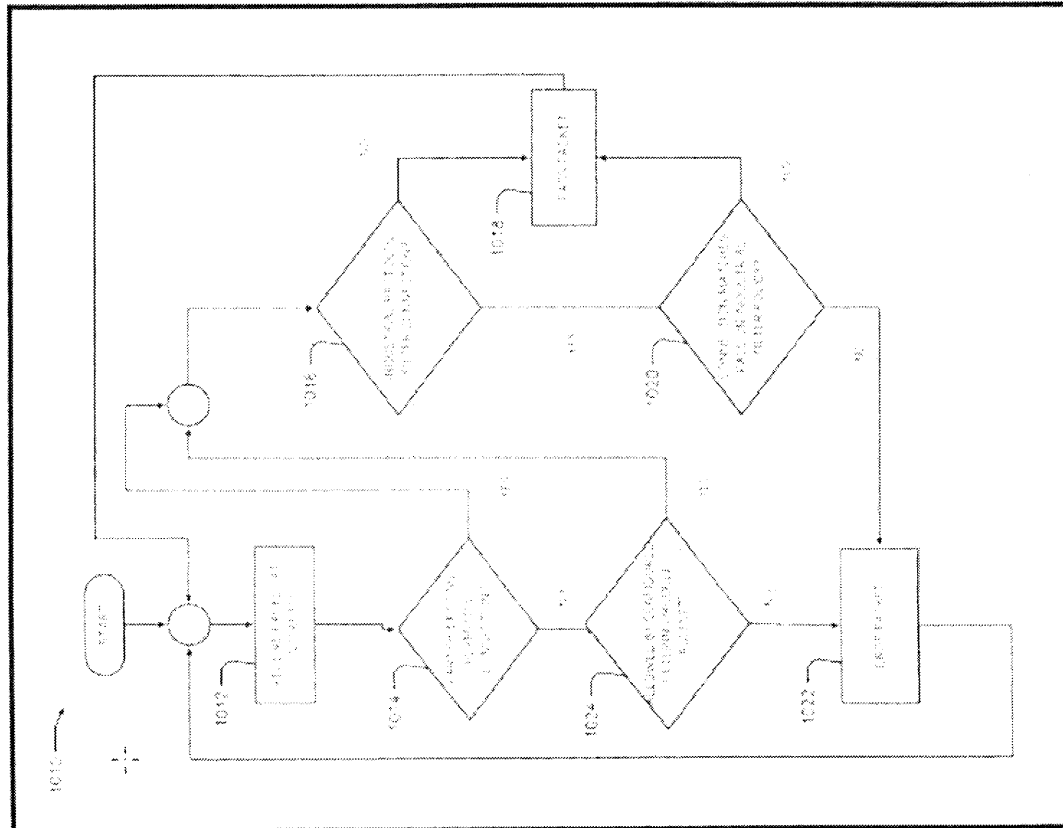


Rockwell's Alleged Data Flow (not bi-directional)* for the Patent in Lawsuit

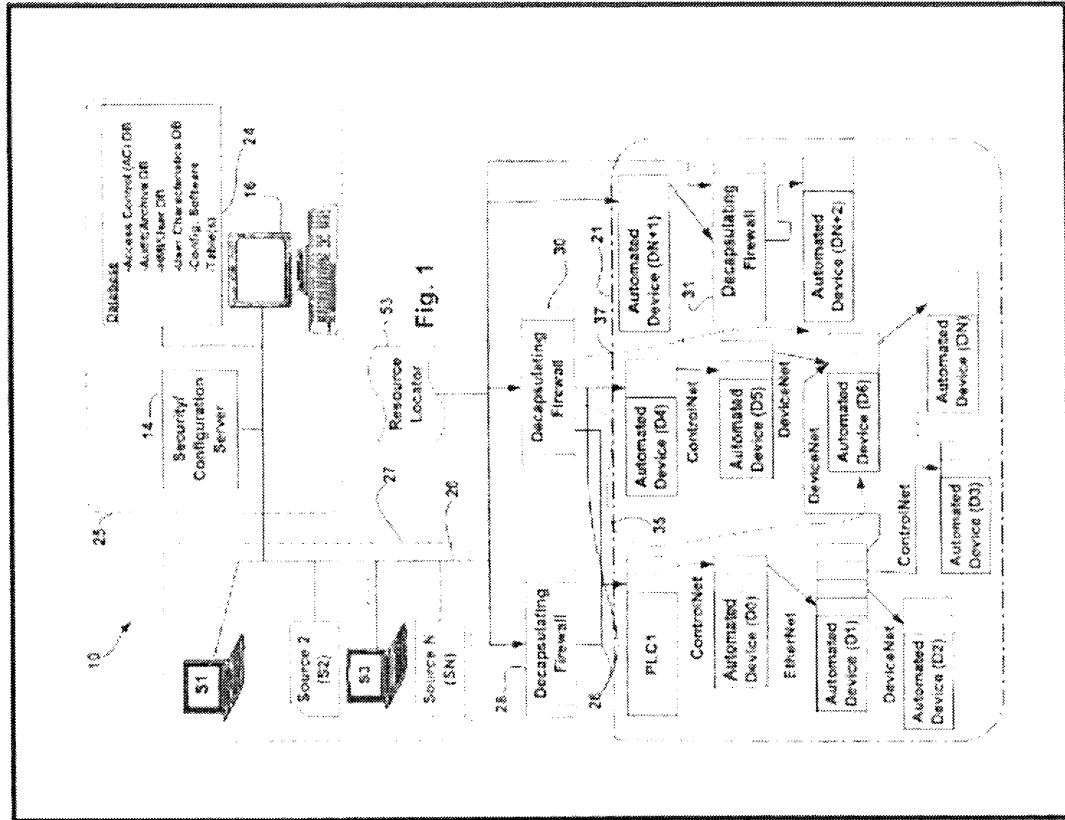


* Manual entry into database is required to allow or disallow

Secure Crossing is "Stand Alone"



Rockwell Theory to "Integrate"



Company

CED/Mosebach Electric Supply
Manufacturing Perspectives
The Reynolds Company
Barrick Gold
Lexington Technologies
R-TIS
Energoresurs-Ek
Rexel
Pearson Packaging
Kellogg
McNaughton-McKay Electric Co.
Michelin NA
Capula Ltd
Mon Valley Integrations
M.G. Bryan
Holcim US Inc.
Complete Automation Controls, LLC
ERG Operating Company
Rockwell Automation
Kimberly Clark Corp
Applegate Automation Enterprises, LLC
TOTALHEALTH REHAB INC
Rockwell Automation
Softing, Inc
Rockwell
ShenZhen DAS
Brave Control Solution
Rockwell
John Deere
Morgan Foods, Inc
Holt Electric
B&W Y-12
Rockwell Automation
Teichert Aggregates
Rockwell Automation
Kimberly-Clark Corporation
College of DuPage
PCI
Complete Automation Controls, LLC
Cummins Inc
Rockwell Automation
Lakeshore Technical College
FLUOR
PQ Corp
ISB
VAN METER INDUSTRIAL INC
Quantum
Suncor Energy Inc
Columbia Electric Supply
PESS
EN ENGINEERING

EXHIBIT C

Hartness
CBT
McNaughton-McKay
NHP Electrical Engineering
JM PROCESS SYSTEMS
PROSOFT TECHNOLOGY
3M Electronic Solutions Division
Barrick
Woodard & Curran Inc.
ConAgra Foods
Kendall Electric
Cummins, Inc
Mielke Electric Works
Anixter
Rockwell Automation
Triumf
Softing Industrial Automation GmbH
Motor Controls Inc
Michelin Tire, NA
Spectrum Controls, Inc.
Industrial Networking Solutions
Boise Cascade LLP
EESCO - Kankakee
ICH
Tree Top Inc.
Miller Weldmaster
Tensar Corporation
Proctor & Gamble
L2 SystemsLLC
United Conveyor Corporations
Cisco Systems
Scot Industries, Inc.
Boise Cascade LLC
Nalbach
Racontrols
CED
Zilor Energy and Food
AB Industry
Kimberly-Clark
North Coast Electric
Anixter
ERZ Technology
Simpson Tacoma Kraft
Control Dynamics, Inc.
ProSoft Technology, Inc.
Komax MedTech
Rockwell Automation
Control System Solutions
Rockwell Automation
lockstep Solutions LLC
PQ Corporation
Mexican Petroleum Institute

Express Scripts, Inc.
Clyde Bergemann
advanced controls tech
Celco Controls
Holt Electric
SGT / KSC
Shenzhen Rockstar Automation Technology Co. Ltd.
Clyde Bergemann
Rockwell Automation
Rexel India/Inaco Automation Controls
Van Meter inc
B&W Control Systems Integration
WINKLE ELECTRIC
Emery Oleochemicals
LT Software Solutions, Inc
Rockwell TR
Dte Energy Resources
Cisco Systems
Rexel
C&I Engineering
The Winkle Electric Company, Inc
Nalcor Energy
MTS Systems Corp
Silgan Containers
Energoresurs-engineering
General Dynamics Electric Boat
Intereng Automation Industrial
3M
McNaughton-McKay Electric Co.
McNaughton-McKay Electric Company
CED
Intereng Automação
Soluciones Efectivas
The Pulse Network
REYNOLDS COMPANY
Rockwell Automation
Baxter & Woodman, CSI
The Reynolds Company
Nestle' R&D Solon
Cummins
Miller Electric Mfg. Co.
Express Scripts
L2 Systems, LLC
NitroSecurity
TOTALHEALTH REHAB CENTER INC.
Miller Weldmaster
NC Hyperbaric
Lakeshore Technical College
JW Vision
Rexel
PCI
Vale

PREMIER System Integrators, Inc.
ActewAGL Distributions
Carotek
General Dynamics Electric Boat
Celco Controls Ltd.
EESCO
Inline Electric and Controls
EESCO
Intereng
Holcim US Inc.
3M
Inline Electric and Controls
Graybar Canada/Harris & Roome
Brave Control Solution
advanced controls tech
REXEL
US Army Corps of Engineers-Lockport Lock
Grantek
Desmasa
Lumen
Lexington Technologies
TRIUMF
ALLIED TUBE CONDUIT
TCHS
Professional Consultants, Inc. (PCI)
JAV AUTOMACAO
Climax Molybdenum Co.
Procter and Gamble
CNH America LLC
Intereng
Milwaukee Water Works
Brampton Engineering Inc.
Carmel WWTP
Glenmount Global Solutions
Nitroquimica
IMRA America
Complete Automation Controls, LLC
Miller Electric Mfg. Co.
EMC
LUMEN
CONTROL SYSTEM TECHNOLOGY
The Reynolds Company
Kleen Test Products
Clark & Osborne
GENESYS
Rexel
NSO/ATST
American Portwell Technology Inc.
Jim Beam Brand Co
DeVry University
Process Results Inc.
Equinix

EESCO

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07/16/12
Accrual Basis

Secure Crossing R & D
Profit & Loss
January through December 2011

	Jan - Dec 11
Ordinary Income/Expense	
Income	
Sales	232,903.27
Total Income	232,903.27
Cost of Goods Sold	
Cost of Goods Sold	26,081.46
Freight and Shipping Costs	2,144.10
Total COGS	28,225.56
Gross Profit	204,677.71
Expense	
Bank Service Charges	397.55
BSD Perimeter	71,048.36
Computer and Expenses	2,706.35
Contract Labor	1,276.60
Dues and Subscriptions	-143.16
Ford Motor Land	3,706.91
Insurance	2,525.28
Internet and connectivity	8,331.46
Konica Minolta	1,896.69
Lanner Electronics USA	37,500.00
Loan from Company	-11,830.79
Marketing	29,562.22
McNaughton and McKay	3,000.00
Meals and Entertainment	14,670.64
Miscellaneous Expense	1,651.15
Office Supplies	4,900.93
Postage & shipping	18.76
Professional Fees	141,343.18
Ramond Wantuck	1,331.67
Randy Reeves Loan Repayment	-12,300.00
Rent Expense	17,353.53
Rockwell Automation Fair	9,410.44
Software	12,863.50
Telephone Expense	1,904.20
Tools & Test Equipment	10,812.81
Travel Expense	15,689.56
Utilities	876.00
WKNR Consulting LLC	14,310.00
Zukey Lake LLC	27,215.00
Total Expense	412,028.84
Net Ordinary Income	-207,351.13
Net Income	-207,351.13

EXHIBIT 10

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07/16/12

Accrual Basis

Secure Crossing R & D
Profit & Loss
 January 1 through July 16, 2012

	Jan 1 - Jul 16, 12
Ordinary Income/Expense	
Income	
Sales	68,800.00
Total Income	68,800.00
Cost of Goods Sold	
Freight and Shipping Costs	391.98
Total COGS	391.98
Gross Profit	68,408.02
Expense	
Bank Service Charges	36.95
Computer and Expenses	60.00
Insurance	2,089.75
Internet and connectivity	1,043.95
Marketing	2,212.60
Meals and Entertainment	2,034.17
Office Supplies	773.21
Postage & shipping	18.00
Professional Fees	52,067.48
Rent Expense	3,675.73
Software	682.94
Telephone Expense	308.07
Tools & Test Equipment	9,756.04
Travel Expense	6,660.62
Zukey Lake LLC	6,500.00
Total Expense	87,909.51
Net Ordinary Income	-19,501.49
Net Income	-19,501.49